

of chemotherapy administration by 32 percent on a transitional basis in 2004. The intent of this was to provide an increase in payment for cancer care services that were under-reimbursed but subsidized by overpayments for cancer drugs under the previous system. While the MMA attempted to balance the payment for both drugs and services, including increasing payments to cover the increasing costs of delivering quality cancer care, the 32 percent was temporary and expired at the end of 2004. This legislation re-establishes 2004 levels of reimbursement.

Further, cancer patients can receive multiple hours of chemotherapy and must be constantly monitored by skilled oncology nurses. Payment for the cost of providing quality cancer care must ensure patient safety during the process of administering often toxic medications, which can produce life-threatening side effects. To meet this need, this bill also provides an increase in funding for the subsequent hours of chemotherapy administration at 70 percent of the first hour payment rate.

4. Payments for Oncological Drug Storage: CMS reimbursement for oncology prescription drugs does not provide adequate funding for storage and care needs. The prescription drugs for cancer care often require refrigeration and specialized handling, as some drugs are highly toxic. These special provisions result in an increased cost, which is why my legislation provides a 2 percent increase in drug reimbursement to account for the storage and care of oncology drugs.

5. Oncology Treatment Planning: Oncology treatment planning provides a personalized treatment program for oncology patients. This legislation creates two payment codes for treatment planning: moderate and complex. Radiation oncologists are currently reimbursed for treatment planning; however, medical oncologists, who provide the treatment plan foundation, are not reimbursed for treatment planning.

As both chairman and ranking member of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I have sought to increase funding for the National Institutes of Health, and the National Cancer Institute, NCI. Since becoming chairman of the LHHS Subcommittee, the funding for NIH has increased from \$11.3 billion in fiscal year 1996 to \$29 billion in 2007, an increase of 157 percent, while funding for the NCI increased from \$2.3 billion in fiscal year 1996 to \$4.8 billion in 2007, an increase of 109 percent.

In 1970, President Nixon declared war on cancer. Had that war been prosecuted with the same diligence as other wars, my former chief of staff, Carey Lackman, a beautiful young lady of 48, would not have died of breast cancer. One of my very best friends, a very distinguished Federal judge, Chief Judge Edward R. Becker, would not have died of prostate cancer. All of us know peo-

ple who have been stricken by cancer, who have been incapacitated with Parkinson's or Alzheimer's, who have been victims of heart disease, or many other maladies.

I sustained an episode with Hodgkin's lymphoma cancer 2 years ago. That trauma, that illness, I think, could have been prevented had that war on cancer declared by the President of the United States in 1970 been prosecuted with sufficient intensity.

This legislation provides Medicare reimbursement assistance for community oncologists and ensures Medicare beneficiaries' access to community-based cancer treatment. I encourage my colleagues to work with Senator CASEY and me to move this legislation forward promptly.

By Mr. HARKIN (for himself and Mr. SMITH):

S. 1753. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the costs of implementing wellness programs, and for other purposes; to the Committee on Finance.

Mr. HARKIN. Mr. President, today, culminating many months of consultation with health experts and business, Senator GORDON SMITH and I will introduce the Healthy Workforce Act.

The aim of this bill is to help American businesses to provide a whole range of opportunities for their employees to live healthier lives. The idea is to make it easier for businesses to push more of their health care investments upstream, helping their employees to get healthy and stay healthy, and to stay out of the hospital.

Corporate America traditionally has not been a major player in the field of wellness and disease prevention. But that is rapidly changing as you can tell by the presence of these important business leaders, here, this morning. This is extremely encouraging. Because corporate America has the expertise, the resources, and the enlightened self-interest to make a huge difference in the way we approach health care in this country.

So, in introducing this bill, Senator SMITH and I are making something of a business proposition, a proposal for a partnership. We believe that the Federal Government needs to provide incentives in the form of tax credits and, in return, we want corporate America to step more boldly into the field of wellness and disease prevention.

Here is what the Healthy Workforce Act would do. It would give a 50-percent tax credit to businesses that offer a qualified comprehensive wellness program to their employees. For a company to receive the 50-percent credit, the employee wellness program must include three of the following four components:

First, a health awareness and education component, which could include health risk assessments and screenings.

Second, a behavioral change component, for instance: counseling, semi-

nars, or self-help materials to help employees to lead healthier lifestyles.

Third, a supportive environment component. This might include offering meaningful incentives to participating employees, for example, a reduction in health premiums, or allowing employees to exercise during the workday.

And fourth, creation of an employee engagement committee, which would tailor the wellness program to the needs of the workforce at a particular company.

I am pleased that the Healthy Workforce Act already has the support of the American Heart Association, the Coalition on Catastrophic and Chronic Health Care Costs, and a whole range of other public health groups and others in the business community.

As I said, employee wellness is a matter of enlightened corporate self-interest. Employees who are fit are less likely to call in sick. They have more energy and self-confidence. They are more resistant to stress. They have better attitudes. Obviously, corporate America also has a profound interest in keeping down health insurance costs.

But businesses can't get this job done alone. It is high time for the Federal Government to step up to the plate in a very robust way. And that is exactly what the Healthy Workforce Act is all about.

In conclusion, I just want to emphasize, again, that this bill is the product of a pretty amazing collaboration. There is tremendous expertise and good will in both the business community and in the public health community. Their ideas and input have made this a better bill. And I deeply appreciate their assistance. I look forward to continuing this partnership and working to pass this critically needed legislation.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 263—TO AUTHORIZE TESTIMONY AND LEGAL REPRESENTATION IN STATE OF IOWA V. CHESTER GUINN, BRIAN DAVID TERRELL, DIXIE JENNESS WEBB, KATHLEEN MCQUILLEN, AND ELTON LLOYD DAVIS

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 263

Whereas, in the cases of State of Iowa v. Chester Guinn (SMAC288541), Brian David Terrell (SMAC288544), Dixie Jenness Webb (SMAC288545), Kathleen McQuillen (SMAC288543), and Elton Lloyd Davis (SMAC288539), pending in Iowa District Court for Polk County in Des Moines, Iowa, testimony has been requested from Robert Renaud and Janice Goode, employees in the office of Senator Chuck Grassley;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the

Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Robert Renaud and Janice Goode, are authorized to testify in the cases of State of Iowa v. Chester Guinn, Brian David Terrell, Dixie Jenness Webb, Kathleen McQuillen, and Elton Lloyd Davis, except concerning matters for which a privilege should be asserted.

Sec. 2. The Senate Legal Counsel is authorized to represent Robert Renaud and Janice Goode in the actions referenced in section one of this resolution.

#### SENATE RESOLUTION 264—EXPRESSING THE SENSE OF THE SENATE UPON THE 50-YEAR ANNIVERSARY OF HURRICANE AUDREY

Mr. VITTER submitted the following resolution; which was referred to the Committee on the Judiciary:

##### S. RES. 264

Whereas on June 27, 1957, Hurricane Audrey made landfall with winds of 145mph and 12-foot storm surges;

Whereas Hurricane Audrey ranks as the 7th deadliest hurricane to strike the United States in modern record keeping with an estimated 526 lives lost;

Whereas Hurricane Audrey ranks as the 2nd deadliest hurricane to strike Louisiana, only behind Hurricane Katrina in 2005; and

Whereas Hurricane Audrey caused damage in excess of \$120,000,000 and destroyed more than 90 percent of the buildings in Cameron and Vermillion Parishes: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the life of each individual who died as a result of Hurricane Audrey;

(2) extends its deepest condolences to the victims of this tragic disaster, as well as to their families, friends, and loved ones;

(3) commits to support victims of hurricanes and other natural disasters;

(4) honors and expresses gratitude to members of the Armed Forces, law enforcement personnel, first responders, and others who have bravely and faithfully participated in the rescue, response, and rebuilding of areas affected by Hurricane Audrey; and

(5) declares June 27, 2007, to be a National Day of Remembrance, in commemoration of the 50-year Anniversary of Hurricane Audrey on June 27, 1957.

#### SENATE RESOLUTION 265—CONGRATULATING THE ST. MARY'S COLLEGE OF MARYLAND SAILING TEAM FOR WINNING THE 2007 INTER-COLLEGIATE SAILING ASSOCIATION (ICSA) WOMEN'S NATIONAL CHAMPIONSHIP AND THE 2007 ICSA TEAM RACE NATIONAL CHAMPIONSHIP

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

##### S. RES. 265

Whereas on May 25, 2007, the St. Mary's College of Maryland Lady Seahawks won the 2007 Inter-collegiate Sailing Association (ICSA) Women's National Championship in Norfolk, Virginia;

Whereas the 2007 ICSA Women's National Champions defeated 17 other teams;

Whereas the 2007 ICSA Women's National Champions are Jennifer Chamberlin, Mattie Farrar, Adrienne Patterson, Melissa Pumphrey, and Sara Morgan Watters;

Whereas Adrienne Patterson is the first Lady Seahawk to be named the ICSA Female College Sailor of the Year;

Whereas on May 29, 2007, the St. Mary's College of Maryland Seahawks won the 2007 ICSA Team Race National Championship defeating 13 other teams in Annapolis, Maryland;

Whereas the 2007 victory is the fourth ISCA Team Race National Championship and the second Women's National Championship for the St. Mary's College of Maryland Seahawks;

Whereas the 2007 ICSA Team Race National Champions are Jennifer Chamberlin, Myles Gutenkunst, John Howell, Phelps Kelley, Jesse Kirkland, John Loe, Maggie Lumkes, Meredith Nordhem, and Hilary Wiech; and

Whereas the coaches of the 2007 ICSA Women's National Champions and the 2007 ICSA Team Race National Champions are Adam Werblow and William Ward: Now, therefore, be it

*Resolved*, That the Senate congratulates the St. Mary's College of Maryland sailing team for winning the 2007 ICSA Women's and Team Race National Championships.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2003. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2004. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2005. Mr. SESSIONS (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2006. Mr. SESSIONS (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2007. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2008. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2009. Ms. CANTWELL (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2010. Mr. VITTER (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2011. Mr. NELSON of Nebraska (for Mr. LEVIN) proposed an amendment to the bill H.R. 1585, supra.

SA 2012. Mr. WEBB (for himself, Mr. HAGEL, Mr. REID, Mr. LEVIN, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, Mrs. CLINTON, Mr. OBAMA, Mr. BYRD, Mr. TESTER, Mrs. MCCASKILL, Mr. KENNEDY, Mr. KERRY, Mr. SALAZAR, Mr. HARKIN, Mrs. FEINSTEIN, Mr. BROWN, Mrs. LINCOLN, Mr. PRYOR, Mr. SANDERS, Mrs. BOXER, Ms. KLOBUCHAR, Ms. MIKULSKI, Ms. CANTWELL, Mr. DODD, Mr. AKAKA, Mr. BIDEN, Ms. STABENOW, and Ms. LANDRIEU) proposed an amendment to amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2013. Mr. NELSON of Florida proposed an amendment to amendment SA 2012 proposed by Mr. WEBB (for himself, Mr. HAGEL, Mr. REID, Mr. LEVIN, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, Mrs. CLINTON, Mr. OBAMA, Mr. BYRD, Mr. TESTER, Mrs. MCCASKILL, Mr. KENNEDY, Mr. KERRY, Mr. SALAZAR, Mr. HARKIN, Mrs. FEINSTEIN, Mr. BROWN, Mrs. LINCOLN, Mr. PRYOR, Mr. SANDERS, Mrs. BOXER, Ms. KLOBUCHAR, Ms. MIKULSKI, Ms. CANTWELL, Mr. DODD, Mr. AKAKA, Mr. BIDEN, Ms. STABENOW, and Ms. LANDRIEU) to the amendment SA 2011 proposed by Mr. NELSON of Nebraska (for Mr. LEVIN) to the bill H.R. 1585, supra.

SA 2014. Mr. HAGEL (for himself, Mr. HARKIN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2015. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2016. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2017. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2018. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2019. Mr. LEVIN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2020. Mr. COLEMAN (for himself, Mr. DEMINT, Mr. THUNE, Mr. INHOFE, Mr. MCCONNELL, Mr. CORNYN, Mr. ALLARD, Mr. CRAIG, Mr. LUGAR, Mr. ROBERTS, Mr. GRAHAM, Mrs. HUTCHISON, Mr. COCHRAN, and Mr. HAGEL) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2021. Mr. SPECTER (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2022. Mr. SPECTER (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.